



Entered on Docket  
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE  
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Eleventh Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Whole or In Part Upon  
Investment In The Placer I Loan**

Hearing Date: July 26, 2011  
Hearing Time: 1:30 p.m.

The Court having considered the "Eleventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Placer I Loan." ("Placer I Loan") [DE 8450] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Placer I Loan; and good cause appearing:

1           **IT IS ORDERED** that:

2           1.     The Objection [DE 8450] is sustained; and

3           2.     The claims listed on **Exhibit A** attached are disallowed to the extent those  
4 claims are based upon an investment in the Placer I Loan.

5  
6           **PREPARED AND RESPECTFULLY SUBMITTED BY:**

7           **LEWIS AND ROCA LLP**

8  
9           By /s/ John Hinderaker (AZ #018024)

10           Robert M. Charles, Jr.

11           John Hinderaker (*pro hac vice*)

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16           *Attorneys for USACM Liquidating Trust*  
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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**Placer Vineyards I  
Multiple Loans**

Claim	Date Claim Was Filed	Name	Address	Total Claim Amount	Amount of Claim That Relates to an Investment In the Placer Vineyards I
10725-02186	1/12/2007	Melvin J & Evelyn A Ives Qtip Trust	Evelyn A Ives Ttee 220 First St #3 Seal Beach, CA 90740	330,509.00	150,000.00
10725-02433	1/12/2007	Michaelian Holdings Llc	413 Canyon Greens Dr Las Vegas, NV 89144-0829	1,267,075.50	50,000.00
10725-01312	11/13/2006	Michelsen, Gary A	John F Murtha Esq Po Box 2311 Reno, NV 89505	543,373.00	94,950.00
10725-01783	12/13/2006	Miller Properties A Nv Limited Partnership	Po Box 495 Zephyr Cove, NV 89448	345,000.00	250,000.00
10725-01784	12/13/2006	Miller, Penny & Brian J	Po Box 495 Zephyr Cove, NV 89448	115,000.00	50,000.00
10725-01208	11/10/2006	Monighetti, Pete	6515 Frankie Ln Prunedale, CA 93907	1,509,963.55	150,000.00
10725-00221	9/25/2006	Mullin, Elaine	3115 Merrill Dr #37 Torrance, CA 90503	220,000.00	50,000.00
10725-01018	10/26/2006	Nakashima, Vicky	1681 Fairburn Ave Los Angeles, CA 90024	155,000.00	50,000.00
10725-01731	12/11/2006	O'Neill, Charles & Lois C	3515 Southampton Dr. Reno, NV 89509	75,311.86	50,000.00
10725-02161	1/12/2007	Ogren, William W & Betty R	22102 Shannon Dell Dr Audubon, PA 19403	202,926.38	50,000.00

**EXHIBIT A**

2400188.1